IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5035 OF 2001

Shri Ranchod Bansilal Gade)
Age : 61 years. Occ. Retired)
Residing Near Kranti Talkies)
At & Post Murbad, Taluka Murbad,)
Dist.Thane)..Petitioner

Versus

1. The Thane Zilla Parishad)
having its office at Netaji)
Subhash Road, Thane-400 601)

2. The Chief Executive Officer)
Thane Zilla Parishad, having)
his office at Netaji Subhash)
Road, Thane-400 601

3. The Commissioner)
Konkan Division, having his)
office at Konkan Bhavan,)
New Bombay.)

4. The Block Development officer)
Panchayat Samiti, Shahapur)
Taluka Shahapur, Dist. Thane)

5. The State of Maharashtra)
through the Secretary,)
Rural Development and Water)
Conservation Department,)
Mantralaya, Mumbai.)..Respondents

Mr.R.S.Datar for the petitioner.

Mr.C.R.Sonawane AGP for respondent nos. 3 & 5.

Coram : S.B.Mhase &
R.S.Mohite,JJ

Date : 5.4.2007.

Oral Judgment :- (Per : R.S.Mohite,J)

1. This is a Writ petition which is restricted to

the payment of interest on dues which were payable to the petitioner in pursuance of direction given by the Lokayukta. It was recorded in the order of Lokayukta dated 16.8.2000 that interest would be payable on the dues. The return which is filed in the matter indicates that in fact, as per the contention of the Zilla Parishad before the Lokayukta, interest of Rs.8201/- was paid. The dispute now only relates to the quantum. It is not possible to go into the question of quantum of interest. The proper remedy available to the petitioner is to file a suit for recovery of amount if any. With liberty to file a suit or any other remedy available in law, petition is dismissed.

(R.S.Mohite,J) **(S.B.Mhase,J)**